

REMARKS

Claims 1 and 6 are amended to improve their form. The specification is amended to correct a typographical error.

Upon entry of these amendments, claims 1-10 will be pending in the present application.

On page 2 of the Office Action, the specification was objected to. Namely, page 14, line 12 of the specification recited “Collector protection member 10 is 100µm in thickens.”

To overcome this objection, Applicant has amended the specification to replace the word “thickens” with “thickness.”

Reconsideration and withdrawal of the objection to the specification are respectfully requested.

On pages 3-5 of the Office Action, claims 1-4 and 6-9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kaneda et al (WO 00/59063) (“Kaneda”) in view of Yageta et al (JP 2005-142028) (“Yageta”).

On page 5 of the Office Action, claims 5 and 10 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kaneda in view of Yageta as applied to claims 1 and 6 above, and further in view of Kamata et al (U.S. Patent 4,732,825) (“Kamata”).

In response, Applicant traverses for the following reasons.

First, Applicant submits herewith a sworn English translation of JP 2004-066403, which was filed in Japan on March 9, 2004, before Yageta’s publication date of June 2, 2005. Applicant respectfully asserts that a claim for priority under 35 U.S.C. § 119(a)-(d) has been made and the present claims are fully supported under 35 U.S.C. § 112 by JP 2004-066403. Therefore, Yageta is not available as prior art under 35 U.S.C. § 102(a). For at least this reason,

Applicant respectfully submits that claims 1-10 are not rendered obvious by Kaneda in view of Yageta or Kaneda in view of Yageta, further in view of Kamata.

In addition, Applicant respectfully submits that even if Yageta were available as prior art against the presently claimed invention, *arguendo*, no combination of the cited references teaches or suggests all the requirements of claims 1, 6, and claims dependent thereon.

Claims 1 and 6 are the only independent claims pending.

Yageta only teaches a protection film in paragraph [0032] as follows: “[a]s shown in drawing 2 and drawing 3, each terminal areas 40 and 41 of the anode and negative-electrode side are covered with the protective films 56 and 57, respectively.” See machine translation of Yageta. Accordingly, Yageta does not teach or suggest a feature of the presently claimed invention, namely “a member in the form of a bag for tightly covering at least a corner of said collector.” See present claims 1 and 6, emphasis added. Moreover, neither Kaneda nor Kamata make up for this deficiency.

Therefore, Applicant respectfully submits that the presently claimed invention is not rendered obvious by any combination of Kaneda, Yageta, and Kamata.

In addition, as discussed in the present specification, Kaneda teaches a material possessing a certain level of stiffness as the insulating frame-like spacer so as not to be deformed itself. Therefore, Kaneda’s insulating frame-like spacer cannot be shaped in the form of a bag to tightly cover a corner of the collector.

Moreover, since the insulating frame-like spacer is a stiff member, there is a possibility that the insulating frame-like spacer itself will cause damage to the enclosing film and that the electrical insulation property will be lowered, see paragraph [0011] of the present specification.

Furthermore, when the insulting frame-like spacer causes damage the enclosing film and the electrical insulation property is lowered, there is a possibility that a short circuit will occur between the damaged portion and the corner of the collector, see paragraph [0012] in the present specification.

In view of the above, Applicant respectfully submits that claims 1-10 are not rendered obvious by Kaneda in view of Yageta or Kaneda in view of Yageta, further in view of Kamata. Reconsideration and withdrawal of the § 103 obviousness rejections are requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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CUSTOMER NUMBER

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for Howard Bernstein by William Chaff
Howard L. Bernstein
Registration No. 25,665
(reg 62, 3/6)